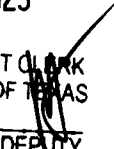


FILED

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

MAY 8 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY

UNITED STATES OF AMERICA

Plaintiff

v

JUAN FRANCISCO D'LUNA-BILBAO,

Defendant

SA23CR0264 FB

INFORMATION

**COUNT 1: Vio: 8 U.S.C. §§
1324(a)(1)(A)(ii), (a)(1)(A)(v)(I) &
(a)(1)(B)(iv): Conspiracy to Transport
Illegal Aliens Resulting in Death**

**COUNT 2: Vio: 8 U.S.C. §§
1324(a)(1)(A)(ii), (a)(1)(A)(v)(I) &
(a)(1)(B)(iii): Conspiracy to Transport
Aliens Resulting in Serious Bodily Injury
and Placing Lives in Jeopardy**

**COUNT 3: Vio: 8 U.S.C. §§
1324(a)(1)(A)(ii), (a)(1)(A)(v)(II) &
(a)(1)(B)(iv): Transportation of Illegal
Aliens Resulting in Death**

**COUNT 4: Vio: 8 U.S.C. §§
1324(a)(1)(A)(ii), (a)(1)(A)(v)(II) &
(a)(1)(B)(iii): Transportation of Illegal
Aliens Resulting in Serious Bodily Injury
and Placing Lives in Jeopardy**

**COUNT 5: Vio: 18 U.S.C. § 922(g)(5):
Alien in Possession of a Firearm**

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

[8 U.S.C. §§ 1324(a)(1)(A)(ii), (a)(1)(A)(v)(I) & (a)(1)(B)(iv)]

Beginning on or about December 1, 2021, and continuing through on or about June 27, 2022, in the Western District of Texas, Southern District of Texas, and elsewhere, Defendant,

JUAN FRANCISCO D'LUNA-BILBAO,

and others, knowing and in reckless disregard of the fact that aliens came to, entered, and remained in the United States in violation of law, did knowingly and intentionally combine, conspire, confederate and agree with each other, to transport, move, and attempt to transport and move, said aliens within the United States by means of transportation or otherwise, in furtherance of such violation of law, and the offense resulted in the death of 53 persons, namely: 47 adults and six children, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii), (a)(1)(A)(v)(I), and (a)(1)(B)(iv).

COUNT TWO

[8 U.S.C. §§ 1324(a)(1)(A)(ii), (a)(1)(A)(v)(I) & (a)(1)(B)(iii)]

Beginning on or about December 1, 2021, and continuing through on or about June 27, 2022, in the Western District of Texas, Southern District of Texas, and elsewhere, Defendant,

JUAN FRANCISCO D'LUNA-BILBAO,

and others, knowing and in reckless disregard of the fact that aliens came to, entered, and remained in the United States in violation of law, did knowingly and intentionally combine, conspire, confederate and agree with each other, to transport, move, and attempt to transport and move, said aliens within the United States by means of transportation or otherwise, in furtherance of such violation of law, and the offense resulted in the serious bodily injury to or placed in jeopardy the life of 11 persons, namely: nine adults and two children, all in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii), (a)(1)(A)(v)(I), and (a)(1)(B)(iii).

COUNT THREE

[8 U.S.C. §§ 1324(a)(1)(A)(ii), (a)(1)(A)(v)(II) & (a)(1)(B)(iv)]

Beginning on or about June 25, 2022, and continuing through on or about June 27, 2022, in the Western District of Texas, Southern District of Texas, and elsewhere, Defendants,

JUAN FRANCISCO D'LUNA-BILBAO,

and others, aided and abetted by each other, knowing and in reckless disregard of the fact that aliens came to, entered, and remained in the United States in violation of law, did knowingly and intentionally transport, move, and attempt to transport and move, said aliens within the United States by means of transportation or otherwise, in furtherance of such violation of law, and the offense resulted in the death of 53 persons, namely: 47 adults and six children, all in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii), (a)(1)(A)(v)(II), and (a)(1)(B)(iv).

COUNT FOUR

[8 U.S.C. §§ 1324(a)(1)(A)(ii), (a)(1)(A)(v)(II) & (a)(1)(B)(iii)]

Beginning on or about June 25, 2022, and continuing through on or about June 27, 2022, in the Western District of Texas, Southern District of Texas, and elsewhere, Defendants,

JUAN FRANCISCO D'LUNA-BILBAO,

and others, aided and abetted by each other, knowing and in reckless disregard of the fact that aliens came to, entered, and remained in the United States in violation of law, did knowingly and intentionally transport, move, and attempt to transport and move, said aliens within the United States by means of transportation or otherwise, in furtherance of such violation of law, and the offense resulted in the serious bodily injury to or placed in jeopardy the life of 11 persons, namely: nine adults and two children, all in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii), (a)(1)(A)(v)(II), and (a)(1)(B)(iii).

COUNT FIVE

[18 U.S.C. § 922(g)(5)]

On or about June 27, 2022, in the Western District of Texas, Defendant,

JUAN FRANCISCO D'LUNA-BILBAO


knowing he was an alien illegally and unlawfully in the United States, knowingly possessed at

least one firearm, to wit: a Fratelli Tanfoglio model GT380 .380 handgun with serial number T52019, a Mossberg model 600AT, 12-gauge Any Other Weapon (NFA) with serial number G972151, and a Beretta model 8000 Cougar F, 9mm handgun with serial number 007518MC, and said firearms had been shipped and transported in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(g)(5).

Respectfully submitted,

JAIME ESPARZA
UNITED STATES ATTORNEY

BY:

A handwritten signature in black ink, appearing to read "Eric Fuchs", written over a horizontal line.

ERIC FUCHS
Assistant United States Attorney